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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/589,345	08/11/2006	Tsutomu Matsubara	1163-0576PUS1	6519
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EXAMINER NWUGO, OJAKO K				
ART UNIT 2612		PAPER NUMBER		
NOTIFICATION DATE 03/18/2009		DELIVERY MODE ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

### Office Action Summary

**Application No.**

10/589,345

**Applicant(s)**

MATSUBARA, TSUTOMU

**Examiner**

OJIAKO NWUGO

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 January 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 August 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-8508)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

### DETAILED ACTION

Claims 1-22 are pending.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1, 3, 4, 10, 11, 17, 19-22** are rejected under 35 U.S.C. 103(a) as being unpatentable over Ihara US6336073 in view of Strasnick US5861885.

Regarding claim 1, Applicants claimed limitation, setting means for setting a display mode of facilities selected by a user from a plurality of selectable display modes, the selectable display modes including a mode for displaying facilities as a moving picture and a mode for displaying facilities as a still picture, is met by Ihara in figs. 13, 15 in light of 101 of fig. 2 and col. 17 lines 52-57, col. 18 lines 1-3, col. 18 line 43-col. 19 line 23.

Applicant's claimed limitation, facility identifying means for identifying facilities at a point of interest selected by the user from a plurality of selectable points of interest, the facilities being identified to be displayed, is met by Ihara in fig. 4 and col. 7 lines 35-40, col. 9 lines 49-54.

Applicant's claimed limitation, display means for displaying on a map at least one of a moving picture and a still picture of the facilities identified by said

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facility identifying means in accordance with the display mode set by said setting means, is met by Ihara in 108 of fig.2 and col. 9 lines 29-33,col. 18 lines 1-3.

Further, Ihara discloses in fig. 15 and col. 19 lines 15-23 the display of three dimensional images. However it makes no explicit disclosure of rotating the three dimensional display. Strasnick discloses in col. 19 lines 32-39 the rotation of a 3-D display.

It would have obvious at the time of the invention for one of ordinary skill to include the 3-D rotation of Strasnick into Ihara to accommodate changes in viewer's perspective as taught by Strasnick.

Regarding **claim 3**, Applicants claimed limitation, facility identifying means identifies the facilities to be displayed according to key-operation of input keys by a user, is met by 101 of fig. 2 and col. 9 lines 49-54.

Regarding **Claim 4**, Applicant's claimed limitation, said display means three-dimensionally displays an image of the facilities identified by said facility identifying means on a wide-area map, and zooms in on the image of the facilities, and the current position of the user is different than the location of the identified facilities with respect to the wide-area map is met by Ihara in fig. 15 and col. 18 line 43 - col. 19 line 22 and col. 18 lines 3-14 the scaling (zooming) of maps.

Regarding **Claim 10**, Applicant's claimed limitation, wherein when receiving a detailed display request of the identified facilities from a user, said display means displays an image of a destination in the identified facilities, is met by Ihara in fig. 13 and col. 17 lines 30-43.

Regarding **Claim 11**, Applicant's claimed limitation, display means identifies a direction of the facilities identified by said facility identifying means when viewed from a present position, and three-dimensionally displays the image of the identified facilities in accordance with the direction, is met by Ihara in fig. 15 and col. 18 line 43 - col. 19 line 22

Regarding **Claim 17**, Applicant's claimed limitation, display means displays guidance on the facilities identified by said facility identifying means, is met by directional arrows in figs. 13, 15 of Ihara.

Regarding **claim 18**, Applicant's claimed limitation, comprising speech output means for outputting speech guidance on the facilities identified by said facility identifying means is met by Ihara in col. 9 lines 28.

Regarding **Claim 19**, Applicant's claimed limitation, display means displays a route from the present position to the destination or a parking lot of the destination besides the image of the facilities identified by said facility identifying means, is met by Ihara in fig. 11 and col. 15 lines 62-67.

Regarding **Claim 20**, Applicant's claimed limitation, facility data storing means for storing image data and position data of the facilities, map data storing means for storing map data, wherein the facility identifying means retrieves the image data and position data of the identified facilities from the facility data storing means, the display means displays the map according to map data retrieved from the map data storing means, and displays the image data retrieved by the facility identifying means on the displayed map, is met by Ihara in fig. 2 and col. 8 lines 50-59, col. 9 lines 20-30, 53-57.

Regarding **Claim 21**, Applicants claimed limitation, setting means for setting a display mode of facilities selected by a user from a plurality of selectable display modes, the selectable display modes including a mode for displaying a map two-dimensionally and a mode for displaying a map three-dimensionally, I have in figs. 13, 15 in light of 101 of fig. 2 and col. 17 lines 52-57, col. 18 lines 1-3, col. 18 line 43-col. 19 line 23.

Applicant's claimed limitation, facility data storing means for storing image data of facilities; map data storing means for storing map data for two-dimensional display and map data for three-dimensional display is by I have in 340-370 of Fig. 1 and col. 8 lines 13-18, 103 of fig. 2 and col. 8 lines 50-59, Fig. 15 and col. 19 lines 15-35.

Applicant's claimed limitation, facility identifying means for identifying facilities at a point of interest selected by the user from a plurality of selectable points of interest, and for retrieving the image data of the identified facilities from the facility data storing means, is met by 104 of fig 2 and col. 11 line 45 col. 12 line 34.

Applicant's claimed limitation, display means displaying a map based on the map data retrieved from the map data storing means, and displaying on the map an image of the identified facilities based on the image data retrieved by said facility identifying means, is met by 108 of Fig. 2 and col. 12 lines 25-34.

Applicants claimed limitation, when the user selects the mode for displaying the map two-dimensionally, the map data for two-dimensional display

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is retrieved from the map data storing means and used by the display means to display the map, and when the user selects the mode for displaying the map three-dimensionally, the map data for three-dimensional display is retrieved from the map data storing means and used by the display means to display the map, is met by Ihara in 340-370 of Fig. 1 and col. 8 lines 13-18, 103 of fig. 2 and col. 8 lines 50-59, Fig. 15 and col. 18 line 43 -col. 19 line 35.

Applicants claimed limitation, the image data retrieved by the facility .identifying means is processed to provide a three-dimensional perspective view of the identified facilities from a viewing direction corresponding to a current position of the facility display apparatus, is met by the left side figs. 15. In col. 19 lines 23-37 Fig. 15 is set up as part the procedural flow fig. 6, which starts with detecting present location.

However Ihara makes no explicit disclosure of such that the displayed image of the identified facilities changes as the viewing direction corresponding to the current position changes. Strasnick discloses in col. 19 lines 32-39 the rotation of a 3-D display.

It would have obvious at the time of the invention for one of ordinary skill to include the 3-D rotation of Strasnick into Ihara to accommodate changes in viewer's perspective as taught by Strasnick.

Regarding **Claim 22**, Applicant's claimed limitation, receiving via an input device a user selection of a display mode of facilities from a plurality of selectable display modes, the selectable display modes including a mode for displaying facilities as a moving picture and a mode for displaying facilities as a still picture,

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is met by figs. 3-6, 14, 15, col. 8 lines 50-59, col.9 lines 40-67, col. 17 lines 52-57, col. 18 line 43- col. 19 line 37. Where fig. 15 is set up by fig. 14 (col. 17 lines 45-50 and fig.14 is a sub routine of fig. 6 (Col. 19 lines 27-38).

Applicant's claimed limitation, receiving via an input device a user selection of a point of interest from a plurality of selectable points of interest, is met by figs. 3, 4 and col. 8 lines 50-55,col. 9 lines 47-55.

Applicant's claimed limitation, identifying facilities at the selected point of interest selected, and retrieving image data from a storage device of the identified facilities; displaying a map on a display device, is met by figs. 2,3,11 and col. 15 lines 55-67.

Applicant's claimed limitation, displaying on the map at least one of a moving picture and a still picture of the identified facilities in accordance with the set display mode, wherein: when the user selects the mode for displaying facilities as a moving picture, said display means displays the moving picture of the identified facilities on the map, is met by figs. 14, 15 and col. 18 line 43-col. 19 line 23 in light of col. 8 line 13-18.

However Ihara makes no explicit disclosure of the moving picture automatically rotating a three-dimensional image of the identified facilities to provide multiple views of the identified facilities from multiple directions, the three-dimensional image being automatically rotated the same amount regardless of which facilities are identified, and the identified facilities have a fixed location at the selected point of interest, Strasnick discloses in col. 19 lines 32-39 the rotation of a 3-D display.

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It would have obvious at the time of the invention for one of ordinary skill to include the 3-D rotation of Strasnick into Ihara to accommodate changes in viewer's perspective as taught by Strasnick.

**Claim 2** is rejected under 35 U.S.C. 103(a) as being unpatentable over Ihara and Strasnick in view of Obradovich US20030163251.

Regarding **Claim 2**, neither Ihara nor Strasnick discloses speech recognition, Obradovich discloses in ¶179 voice activation of map instructions.

It would have obvious for one of ordinary skilled in the art at the time of the invention to incorporate the voice activation of Obradovich into Ihara for improved user friendliness/ efficiency.

**Claim 5-9** are rejected under 35 U.S.C. 103(a) as being unpatentable over Ihara and Strasnick in view of Millington US6611753.

Regarding **Claim 5**, Ihara discloses in col. 18 lines 3-14 the scaling (zooming) of maps. However Ihara does not disclose a zoom and rotate. Millington discloses in col. 3 lines 20-22 the scaling (zooming) and rotation of 3-D view.

It would have obvious for one of ordinary skilled in the art at the time of the invention to incorporate the scaling and rotation Millington into Ihara for the proper rendering of 3-D perspective view as taught by Millington.

Regarding **Claim 6**, Millington discloses col. 5 lines 33-40 the scaling (zooming) of a 3-D image of a facility like an intersection, to keep the scene in view.

Regarding **Claim 7**, Millington discloses col. 5 lines 37-39 a scaling increment range of 0-8.

Regarding **Claim 8**, Millington discloses in col. 5 line 34-36 the scaling percentages for incrementing or decrementing, hence a rate of scaling.

Regarding **Claim 9**, Millington discloses the scaling and rotation of the 3-D image of a facility like an intersection. Wide area map being a question of scale.

**Claims 12, 14, 16** are rejected under 35 U.S.C. 103(a) as being unpatentable over Ihara and Strasnick in view of Shipley US20040204849.

Regarding **Claim 12**, neither Ihara nor Strasnick makes an explicit disclosure of deemphasizing the surrounding of facility (point) of interest in a display. Shipley in its abstract discloses the displaying of a chart or map such that the area in close proximity to an area of interest is in greater scale than an area that is distant and creating the image.

It would have been obvious for one of ordinary skill at the time of the invention to incorporate the differential scaling of Shipley into Ihara for the economy space in the display of short and long term data as taught by Shipley.

Regarding **Claim 14**, neither Ihara nor Strasnick makes an explicit disclosure of reducing the image of the surrounding of facility (point) of interest while enlarging the facility in a display. Shipley in its abstract discloses the

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displaying of a chart or map such that the area in close proximity to an area of interest is in greater scale than an area that is distant and creating the image.

It would have been obvious for one of ordinary skill at the time of the invention to incorporate the differential scaling of Shipley into Ihara for the economy space in the display of short and long term data as taught by Shipley

Regarding **claim 16**, neither Ihara nor Strasnick makes an explicit disclosure of using colors to indicate time zones and season. Millington discloses in col. 5 lines 52-57 color changes in accord with time zone and season.

It would have obvious for one of ordinary skilled in the art at the time of the invention to incorporate color changes of Millington into Ihara to assist the user in understanding the display as taught by Millington.

**Claim 13** is rejected under 35 U.S.C. 103(a) as being unpatentable over Ihara, Strasnick and Shipley in view of Ockman US20020150304.

Regarding **Claim 13**, Ihara, Strasnick and Shipley make no explicit disclosure of displaying background/ surroundings in monochrome. Ockman discloses in ¶91 displaying background in monochrome.

It would have been obvious for one of ordinary skill at the time of the invention to incorporate the monochrome background of Ockman into Ihara so the objects/points of interest stand out.

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**Claim 15** is rejected under 35 U.S.C. 103(a) as being unpatentable over Ihara and Strasnick in view of Ishimaru US20040213459.

Regarding **Claim 15**, neither Ihara nor Strasnick discloses a blinking image display of the facility. Ishimaru discloses in figs. 14 and ¶156 the blinking object/point of interest image.

It would have obvious for one of ordinary skilled in the art at the time of the invention to incorporate the blinking object/point of interest image of Ishimaru into Ihara for the purpose of effectively emphasizing the object/point as taught by Ishimaru.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OJIAKO NWUGO whose telephone number is (571)272-9755. The examiner can normally be reached on M - F 7.30am - 5.00pm EST, Alternate Fridays Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Benjamin Lee can be reached on (571) 272 2963. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

OKN

/Benjamin C. Lee/

Supervisory Patent Examiner, Art Unit 2612